



Department of Energy

Washington, DC 20585

July 11, 2003

FISCAL YEAR 2004 PRIORITIES FOR THE APPLIANCE STANDARDS RULEMAKING PROCESS

The Department of Energy (DOE), Building Technologies Program requests your comments on the enclosed fiscal year (FY) 2004 proposed priorities and data sheets. The priority levels will assist DOE in determining the allocation of available resources during the coming year. DOE plans to devote considerable resources to each high-priority rulemaking, for activities including the preparation of technical feasibility and economic impact analyses, the conduct of public meetings, and the issuance of various rulemaking notices, as appropriate. These proposed priorities assume requested funds for FY 2004 for the Appliance Standards Program. The Department will finalize its final priorities based on consideration of comments received and funds available. DOE will consult with interested parties before establishing final priorities.

In May 2001, the National Energy Policy Development Group (NEPD Group) reported a National Energy Policy to the President. One of the recommendations called for the President to direct the Secretary of Energy to take steps to improve the energy efficiency of appliances. The recommendation included supporting the existing appliance standards program, setting higher standards where technologically feasible and economically justified, and expanding the scope of the program to include additional consumer products and commercial and industrial equipment. DOE conducted two public meetings in the fall of 2001 to get external comment on these matters and to arrive at a new prioritization of its standard rulemaking activities. *The FY 2003 Priority-Setting Summary Report and Actions Proposed*, dated August 22, 2002¹, describes the conclusions of this effort.

The draft priorities for FY2004 remain the same as those for FY2003, except for the following:

- DOE has begun the process for covering additional products (torchieres, certain incandescent lamps - elliptical reflector/bulged reflector (ER/BR), ceiling fans, reach-in refrigerators/freezers, and vending machines and beverage merchandisers) that would lead to the development of test procedures in FY 2004 and then possibly standards. DOE considers this effort to be high priority;
- Commercial central air conditioning and heat pumps (3 phase, < 65 kBtu/h) changed from medium to high due to ASHRAE adoption; and
- Residential Clothes Washers test procedure changed from low to high due to test cloth issues.

The Department is continuing to develop standards for four high-priority products: residential central air conditioning and heat pumps (niche products); distribution transformers; residential furnaces and boilers; and some covered commercial heat and air conditioning products covered by ASHRAE/IESA Standard 90.1. In addition, DOE is conducting determinations for high intensity discharge (HID) lamps and small electric motors.

The Department is in the process of issuing final test procedures for the following high-priority test procedures: dishwashers; residential central air conditions and heat pumps; commercial air conditioning and heat pumps; commercial furnaces; commercial oil and gas-fired packaged boilers; and commercial water heaters. Test procedure development for distribution transformers and residential central air conditioners and heat pumps (niche products) is ongoing.

In the DOE Semiannual Regulatory Agenda notice, 68 FR 30195 (May 27, 2003), DOE inadvertently noted in its

¹ Document available on the internet at http://www.eere.energy.gov/buildings/appliance_standards/reports.html



discussion of the energy efficiency standards for residential furnaces, boilers, and mobile home furnaces that the Department is reclassifying this action as low priority. DOE clarified in a recent notice (68 FR 40553, July 8, 2003) that it still considers this rulemaking high priority. DOE is committed to seeking stakeholder input in reprioritization decisions, as described in the Process Rule 61 FR 36974 (July 15, 1996). In this spirit, for the FY 2005 priority setting process, the Department plans to more rigorously update the information in the priority setting data sheets and conduct a workshop in the spring of 2004.

With regard to the priority setting process, the Department is interested in comments on the following areas:

- **New Energy Legislation:** Draft legislation would add more "new covered" products, beyond the five products that the Department is proposing to cover. How should the Department review and prioritize all of these products? Should the Department review existing products like dishwashers as well? The Department will have to consider resources as it prioritizes its work load.
- **Strategically targeting opportunities:** The Department seeks stakeholder comment on how to deal with a rulemaking when preliminary analyses indicate significantly reduced savings or other issues. Funding and staffing limit how many rulemakings DOE can pursue. In the instance where reduced savings or issues arise in the rulemaking process, should the Department focus its resources on standards for other products which could achieve higher benefits?

This prioritization does not take into consideration the current energy legislation in Congress. DOE will review and modify this prioritization if legislation is passed.

The Department seeks your comments on the priorities and issues discussed above. Written comments should be submitted by August 15, 2003, to the U.S. Department of Energy, 1000 Independence Ave., SW, Washington, D.C. 20585-0121, Attn: Brian Card, EE-2J.

The Regulatory Agenda in the fall will reflect DOE's final priorities. If you have any questions, please contact Brian Card at (202) 586-9228, fax: (202) 586-4617, e-mail: brian.card@ee.doe.gov.

Sincerely,



Michael McCabe, Program Manager
Building Technologies
Energy Efficiency and Renewable Energy

Attachments

Summary of Priorities for Standards, Determinations, and Coverage
Summary of Priorities for Test Procedures
FY2004 Prioritization Data Sheets

Summary of Priorities Standards, Determinations, and Coverage

High Priority Products

Beverage Merchandisers/Vending Machines (Coverage)
Ceiling Fans (Coverage)
Commercial Air-Cooled Central Air Conditioners and Air Source Heat Pumps (65-240 kBtu/h)
Commercial Central Air Conditioners and Heat Pumps, 3 Phase, <65 kBtu/h
Commercial Oil and Gas-Fired Packaged Boilers
Commercial Reach-In Refrigerators/Freezers (Coverage)
Distribution Transformers
High Intensity Discharge Lamps (Determination)
Packaged Terminal Air Conditioners and Heat Pumps
Residential Central AC/HP (Small Duct High Velocity)
Residential Furnaces and Boilers
Small Electric Motors (Determination)
Tankless Gas-Fired Instantaneous Water Heater
Torchieres (Coverage)

Medium Priority Products

Dishwashers

Low Priority Products

Clothes Dryers
Clothes Washers
Commercial Water-Cooled A/C and Water-Source Heat Pumps
Commercial Furnaces
Commercial Water Heaters
Cooking Products
Direct Heating Equipment
Electric Motor, 1-200 HP
Fluorescent Lamp Ballasts
Lamps, Fluorescent
Lamps, Incandescent General Service
Lamps, Incandescent Reflector
Plumbing Fixtures/Fittings
Pool Heaters, Gas
Refrigerators
Residential Water Heaters
Room Air Conditioners

Summary of Priorities Test Procedures

High Priority Products

Clothes Washers
Commercial A/C and Heat Pumps
Commercial Furnaces
Commercial Oil and Gas-Fired Packaged Boilers
Commercial Water Heaters
Dishwashers
Distribution Transformers
Residential Central AC/HP (Small Duct High Velocity)

Medium Priority Products

Compact Refrigerators
Ductless Split Central AC/HP

Low Priority Products

Clothes Dryers
Cooking Products
Direct Heating Equipment, Gas
Electric Motor, 1-200 HP
Fluorescent Lamp Ballasts
High Intensity Discharge Lamps
Lamps, Fluorescent
Lamps, Incandescent General Service
Lamps, Incandescent Reflector
Plumbing Fixtures/Fittings
Pool Heaters, Gas
Refrigerators
Residential Furnaces and Boilers
Residential Water Heaters
Room Air Conditioners
Small Electric Motors